



# California Regional Water Quality Control Board

## San Diego Region



**Alan C. Lloyd, Ph.D.**  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb9/>  
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**Arnold  
Schwarzenegger**  
Governor

Action on Request for  
**TENTATIVE** Clean Water Act section 401 Water Quality Certification  
and Waiver of Waste Discharge Requirements  
for Discharge of Dredged and/or Fill Materials

**PROJECT:** San Marcos Highlands Residential Development (File No. 02C-144)

**APPLICANT:** Mr. David W. Shepherd  
KB Home  
12235 El Camino Real, Suite 100  
San Diego, CA 92130

**ACTION:**

- |   |  |
|---|--|
| <input type="checkbox"/> Order for Low Impact Certification                         | <input type="checkbox"/> Order for Denial of Certification                 |
| <input checked="" type="checkbox"/> Order for Technically-conditioned Certification | <input checked="" type="checkbox"/> Waiver of Waste Discharge Requirements |

**STANDARD CONDITIONS:**

The following three standard conditions apply to all certification actions, except as noted under Condition 3 for denials (Action 3).

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. The validity of any non-denial certification action (Actions 1 and 2) shall be conditioned upon total payment of the full fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.

***California Environmental Protection Agency***

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.*

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**ADDITIONAL CONDITIONS:**

In addition to the three standard conditions, KB Home shall satisfy the following:

**A. GENERAL CONDITIONS**

1. KB Home shall, at all times, fully comply with the engineering plans, specifications and technical reports submitted with this application for 401 Water Quality Certification and all subsequent submittals required as part of this certification.
2. KB Home shall comply with the requirements of State Water Resources Control Board Water Quality Order No. 99-08-DWQ, the NPDES General Permit for Storm Water Discharges Associated with Construction Activity.
3. KB Home shall maintain a copy of this certification at the project site so as to be available at all times to site personnel and agencies.
4. Prior to the start of the project, KB Home shall educate all personnel on the requirements in this certification, pollution prevention measures, spill response, and best management practices.
5. KB Home shall permit the San Diego Regional Water Quality Control Board (SDRWQCB) or its authorized representative at all times, upon presentation of credentials:
  - a) Entry onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
  - b) Access to copy any records required to be kept under the terms and conditions of this certification.
  - c) Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this certification.
  - d) Sampling of any discharge or surface water covered by this Order.
6. KB Home shall notify the SDRWQCB within 24 hours of any unauthorized discharge to waters of the U.S. and/or State; measures that were implemented to stop and contain the discharge; measures implemented to clean-up the discharge; the volume and type of materials discharged and recovered; and additional BMPs or other measures that will be implemented to prevent future discharges.
7. KB Home shall, at all times, maintain appropriate types and sufficient quantities of materials onsite to contain any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reached a waters of the U.S. and/or State.
8. This Certification is not transferable to any person except after notice to the Executive Officer of the SDRWQCB. The applicant shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new owner containing a specific date for the transfer of this Certification's responsibility and coverage between the current discharger and the new

discharger. This agreement shall include an acknowledgement that the existing owner is liable for compliance and violations up to the transfer date and that the new owner is liable from the transfer date on.

9. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification.
10. In response to a suspected violation of any condition of this certification, the Regional Water Quality Control Board (RWQCB) may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the RWQCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
11. In response to any violation of the conditions of this certification, the RWQCB may add to or modify the conditions of this certification as appropriate to ensure compliance.
12. This certification does not address dewatering; separate authorization will be required from the Regional Board for any dewatering impacts.

## **B. CONSTRUCTION PHASE STORM WATER MANAGEMENT**

1. Construction monitoring reports shall be submitted quarterly during all grading activities associated with the proposed project. Construction monitoring reports shall include, but not be limited to the following:
  - a. Names, qualifications, and affiliations of the persons contributing to the report;
  - b. Summary of construction activities that include general locations, project component, approximate acreage;
  - c. Quantification of impacts to waters of the U.S. authorized under this Order;
  - d. Dates, times, and names of qualified biologist(s) onsite;
  - e. Diagrams showing location and type of the most recent erosion and sediment control Best Management Practices (BMPs) implemented on site in accordance with the Storm Water Pollution Prevention Plan (SWPPP).
  - f. Summary of any problems, resolution, and notification that occurred during this monitoring period; and
  - g. Photo-documentation of construction activities.

2. KB Home shall implement the following measures to ensure that the San Marcos Highlands project does not cause a net increase in sediment discharge to Agua Hedionda Creek during the construction phase:
  - a. SEDIMENT/SILTATION MONITORING PROGRAM: To assess the effectiveness of the BMPs implemented pursuant to Condition A.2, KB Home will develop and implement a sediment/siltation monitoring plan to measure sediment loads above and below the project site during the construction phase. Sediment/Siltation monitoring shall continue until such a time that a Notice of Termination (NOT) is processed and coverage under Order 99-08-DWQ is terminated. The construction phase sediment/siltation monitoring program shall be developed and submitted to the Regional Board for acceptance prior to initiation of project grading. Upon Regional Board acceptance of the monitoring plan, KB Home shall monitor sediment loading above and below the project as described below:
    - i. Samples to be taken upstream of the of the construction areas, and immediately downstream of the last point of discharge from the project.
    - ii. Samples to be analyzed for Settleable Solids (mL/L using EPA 160.5) and Total Suspended Solids (mg/L using EPA 160.2).
    - iii. Sediment /siltation monitoring to occur after every significant rainfall where storm water runoff discharges from the San Marcos Highlands project into Agua Hedionda Creek. KB Home does not need to perform upstream/downstream sample collection for more than three (3) rain events per month.
  - b. BMP EVALUATION AND MAINTENANCE: The applicants shall immediately assess the results of each sampling event, and if the results of the downstream site show an increase greater than 5 percent above background (upstream site) sediment levels, the applicants shall conduct an immediate assessment of erosion and sediment control BMPs being implemented on-site. KB Home shall:
    - i. Identify the source of the silt, sediment.
    - ii. Repair or replace any BMP that has failed.
    - iii. Maintain any BMP that is not functioning properly due to lack of maintenance.
    - iv. Evaluate whether additional or alternative BMPs should be implemented to prevent further exceedences of background sediment levels.
    - v. Report to the Regional Board within 5 working days the actions taken to remedy the situation.
3. KB Home shall include all data, quality assurance and quality control data from the sediment/siltation monitoring program in reports to be submitted monthly during the rainy season (October 1 through April 30). In months receiving no precipitation resulting in a discharge to receiving waters, no report will be required.

## C. MITIGATION

1. Mitigation for permanent impacts to 0.74 acres of jurisdictional Waters of the U.S. (5,558 linear feet of ephemeral streambed and 0.05 acre of wetland Waters of the U.S.) will be achieved at a 3.3:1 ratio, by the restoration of 2.4 acres of riparian habitat, and the removal of 0.2 acre of eucalyptus trees at the headwaters of Agua Hedionda Creek. .05 acre of wetland will be created onsite to ensure “no net loss” of wetlands.
2. Mitigation for temporary impacts to 0.06 acres of jurisdictional waters of the U.S. will be achieved at a 1:1 ratio, by the restoration of all temporary impacts to pre-existing topography and vegetative condition.
3. Mitigation activities shall be conducted in accordance with the October 2005 *Draft San Marcos Highlands Habitat Mitigation and Monitoring/Water Quality Management Plan*. Any changes in mitigation ratios or acreage in the final HMMP/WQMP will require the approval of the SDRWQCB.
4. The enhancement of an additional 2.3 acres of riparian habitat in the “panhandle” portion of the project site will occur, as described in the draft mitigation plan, but will not be counted as mitigation credit due to pre-existing utility easements on that section of Agua Hedionda Creek. If, at a later date, it becomes possible to place any of this area under a conservation easement, KB Homes shall do so in accordance with the requirements contained in Condition C.5.
5. Within 90 days of the issuance of this certification, KB Home shall provide a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all preserved jurisdictional Waters of the U.S./State, mitigation areas and their buffers in perpetuity. The conservation easement or other legal limitation on the mitigation property shall be adequate to demonstrate that the site will be maintained without future development or encroachment on the site or which could otherwise reduce the functions and values of the site for the variety of beneficial uses of waters of the U.S./State that it supports. The conservation easement or other appropriate legal limitation shall prohibit, without exception, all residential, commercial, industrial, institutional, and transportation development, and any other infrastructure development that would not maintain or enhance the wetland functions and values of the site. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, paved maintenance roads, and areas of maintained landscaping for recreation. KB Home shall submit proof of a completed preservation mechanism within one year of issuance of this certification.
5. The Final Wetlands Mitigation and Monitoring Plan shall be consistent with the October 2005, *Draft San Marcos Highlands Habitat Mitigation and Monitoring/Water Quality Management Plan*. (prepared by PCR), and shall achieve the following performance standards:

- a. Created, enhanced, and restored wetlands that are installed to compensate for impacts to jurisdictional wetland areas must possess the three criteria (wetland hydrology, hydrophytic vegetation, and hydric soils) necessary to be delineated as a Corps jurisdictional area;
  - b. All mitigation areas shall be maintained 95 percent free of exotic/nonnative plant species;
  - c. All mitigation areas must be self-sustaining; and
  - d. All mitigation areas must exhibit evidence of natural recruitment of native wetland and/or riparian species.
6. Implementation of mitigation shall provide the following functional gains:
- a. Habitat function - Creation of structurally and spatially diverse habitat surrounding riparian areas will provide nesting and foraging grounds for birds, amphibians, and other wildlife.
  - b. Biogeochemical/water quality functions - Restoration of wetland/riparian areas shall increase areas for natural water quality functions, such as microbial action that removes toxins, nitrogen, and other nutrients from runoff.
  - c. Hydrologic functions - Restoration of wetland/riparian areas will allow greater flood flow attenuation, energy dissipation, and storage during storm events.
7. The Final Wetlands Mitigation and Monitoring Plan shall include construction plans and specifications that include, but are not limited to, the following:
- a. Proposed channel designs and earthwork for all mitigation areas, including appropriate cross sections and plan views;
  - b. A detailed planting plan, including species lists, plant sizes and numbers, and planting designs;
  - c. Detailed implementation schedule, including but not limited to, dates for initiation and completion of mitigation installation at different on-site and off-site mitigation areas, recordation of conservation easements; initiation of monitoring period; reporting dates, etc.;
  - d. An irrigation plan;
  - e. Signage and barrier designs adequate to prevent intrusion into mitigation areas and creek buffer zones;
  - f. Specific details regarding hydrologic and biogeochemical monitoring, including function-based performance standards, sample locations, periodicity, and qualitative and quantitative indicators; and
  - g. All other information, as appropriate.
8. The construction of proposed mitigation shall be completed within the same calendar year as impacts occur, or at least no later than 9 months following the close of the calendar year in which impacts first occur (e.g., if impacts occur in June 2007, construction of mitigation for all impacts must be completed no later than September 2008).

9. Mitigation areas shall be maintained free of perennial exotic plant species including, but not limited to, pampas grass, giant reed, tamarisk, sweet fennel, tree tobacco, castor bean, and pepper tree. Annual exotic plant species shall not occupy more than 5 percent of the onsite or offsite mitigation areas.
6. If at any time during the implementation and establishment of the mitigation area(s), and prior to verification of meeting success criteria, a catastrophic natural event (e.g., fire, flood) occurs and impacts the mitigation area, KB Home shall be responsible for repair and replanting of the damaged area(s).
7. Mitigation monitoring reports shall be submitted annually until mitigation has been deemed successful. Monitoring reports shall be submitted no later than 30 days following the end of the monitoring period. Monitoring reports shall include, but not be limited to, the following:
  - a) Names, qualifications, and affiliations of the persons contributing to the report;
  - b) Tables presenting the raw data collected in the field as well as analyses of the physical and biological data;
  - c) Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;
  - d) Photodocumentation from established reference points;
  - e) Survey report documenting boundaries of mitigation area; and
  - f) Other items specified in the draft and final Wetland and Riparian Mitigation and Monitoring Plan.
8. For purposes of this certification, creation is defined as the creation of vegetated or unvegetated waters of the U.S. where they have never been documented or known to occur (e.g., conversion of nonnative grassland to freshwater marsh). Restoration is defined as the creation of waters of the U.S. where they previously occurred (e.g., removal of fill material to restore a drainage). Enhancement is defined as modifying existing waters of the U.S. to enhance functions and values (e.g., removal of exotic plant species from jurisdictional areas and replacing with native species).
9. A qualified biological monitor shall be present at all pre-construction and pre-grading meetings and shall be onsite during all vegetation removal, grading, or filling of any drainage on the project site. Furthermore, the biological monitor shall be present when grading is conducted within 100 feet of any drainage on the property.

**D. POST CONSTRUCTION STORM WATER MANAGEMENT**

1. All storm drain inlet structures within the project boundaries shall be stamped and/or stenciled with appropriate language prohibiting non-storm water discharges.
2. Post-construction stormwater treatment BMPs that will be implemented to treat and control urban and storm water runoff from the San Marcos Highlands project shall include one vegetated water quality extended detention basin, and 48 drain inlet filter units (Kristar Flo-Gard Plus or equivalent) as proposed in the August 18, 2005, *Storm Water Management Plan for San Marcos Highlands* (prepared by Hunsaker and Associates). The treatment BMPs will be sized in accordance with the volume and flow based sizing criteria contained within the September 2004, *City of San Marcos, Storm Water Standards Manual*.
3. KB Home shall vegetate the proposed water quality basin with native drought tolerant vegetation (e.g., *Distichlis* sp.). The vegetated extended detention basin shall be soft-sided and soft-bottomed. No riprap shall line the bottom of the basin.
4. Maintenance of the vegetated first-flush extended detention basin will be triggered when one foot or more of sediment has accumulated. When cleaned out, the basin should be over-excavated by at least half a foot to extend the interval between necessary maintenance and no more than 50 percent of the vegetation shall be removed during maintenance activities.
5. No low-flow channel, or other structure that would compromise the water purification functions of the basin, shall be constructed in the proposed detention basin.
6. KB Home will be responsible for the proper installation, inspection and maintenance of the structural treatment BMPs implemented onsite (water quality basin, inlet filters), until such a time that the Homeowners Association (HOA) formed for the development has assumed the responsibility, and secured sufficient funding for the inspection and maintenance of the post construction BMPs in perpetuity.
7. KB Home shall, prior to the HOA assuming responsibility for the perpetual maintenance of the post construction treatment BMPs, provide the SDRWQCB with a report providing:
  - a. Documentation of the as-built status of the post construction BMPs implemented on site (including photographs).
  - b. Copies of the CC&R's for the HOA pertaining to the maintenance of the post construction BMPs implemented on-site.
  - c. The name and contact information for the person(s) or entity responsible for inspection and maintenance of the post construction BMPs in perpetuity.
  - d. Copies of BMP Maintenance Agreements with Easement and Covenant as outlined in Chapter 10 of the Storm Water Management Plan.



8. All HOA maintained landscaped areas will include rain shutoff devices to prevent irrigation during and after precipitation events. Flow reducers and shutoff valves triggered by pressure drop will be used to control water loss from broken sprinkler heads or lines.

## **E. RECEIVING WATER QUALITY MONITORING**

1. KB Home shall develop and implement a five-year Receiving Waters Monitoring Program in Agua Hedionda Creek to evaluate potential project impacts to the Agua Hedionda Creek watershed for pollutants/stressors contained in the SWRCB's 2002 Monitoring List for Agua Hedionda Creek. The Receiving Waters Monitoring Program shall be developed and submitted to the Regional Board for acceptance prior to impacts to jurisdictional areas. At a minimum, the Monitoring Program shall assess changes in nutrients, pesticides, and benthic community in Agua Hedionda Creek.
2. KB Home, or their designated responsible party shall perform water quality sampling and analysis for nitrogen and phosphorous nutrients (NH<sub>3</sub>, NO<sub>3</sub>-N, No<sub>2</sub>-N, TKN, ortho phosphorous and Total Phosphorous), diazinon, and physicochemical constituents (pH, temperature, electrical conductance, dissolved oxygen). At a minimum, sampling will be conducted monthly for the first year, and quarterly thereafter. Samples shall be taken upstream of the development, and immediately downstream of the last point of discharge from the project.
3. Where procedures are not otherwise specified for the Receiving Water Quality Monitoring Program, sampling, analysis, and quality assurance/ quality control must be conducted in accordance with the Quality Assurance Program Plan (QAPP) for the State of California's Surface Water Ambient Monitoring Program, adopted by the State Water Resources Control Board (SWRCB).<sup>1</sup>
3. The five-year receiving water quality monitoring will begin concurrently with the habitat mitigation program pursuant to Condition C.5 of this certification. The receiving water quality data and analysis shall be submitted as part of the required habitat mitigation monitoring reports pursuant to Condition C.5 of this certification.

## **F. REPORTING**

1. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the Regional Board for failure to furnish requested information pursuant to CWC section 13268.
2. All applications, reports, or information submitted to the Regional Board shall be signed and certified as follows:

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<sup>1</sup> The QAPP can be downloaded from the SWRCB web page at [http://www.swrcb.ca.gov/swamp/docs/swamp\\_qapp.pdf](http://www.swrcb.ca.gov/swamp/docs/swamp_qapp.pdf).

*"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."*

3. KB Home shall submit reports required under this certification, or other information required by the Regional Board, to:

Executive Officer  
California Regional Water Quality Control Board  
San Diego Region  
Attn: 401 Certification; File No 02C-144  
9174 Sky Park Court, Suite 100  
San Diego, California 92123

#### **PUBLIC NOTIFICATION OF PROJECT APPLICATION:**

On January 6, 2003, receipt of the initial project application was posted on the SDRWQCB web site to serve as appropriate notification to the public.

#### **REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:**

Christopher Means  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123  
858-637-5581  
cmeans@waterboards.ca.gov

**WATER QUALITY CERTIFICATION:**

I hereby certify that the proposed discharge from the San Marcos Highlands project (File No. 02C-144) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under California Regional Water Quality Control Board, San Diego Region, Waiver of Waste Discharge Requirements (Waiver Policy) No. 17. Please note that this waiver is conditional and, should new information come to our attention that indicates a water quality problem, the regional Board may issue waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicants' project description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Regional Water Quality Control Board's Water Quality Control Plan (Basin Plan).

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John H. Robertus  
Executive Officer  
Regional Water Quality Control Board

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Date

Attachments:

1. Project Information
2. Distribution List
3. Location Map
4. Site Map
5. Mitigation Map

**ATTACHMENT 1  
PROJECT INFORMATION**

Applicant:	Mr. David Shepherd KB Home 12235 El Camino Real, Suite 100 San Diego, CA 92130
Applicant Representatives:	Ms. Susan Erickson PCR Services Corporation One Venture, Suite 150 Irvine, CA 92618
Project Name:	San Marcos Highlands
Project Location:	The San Marcos Highlands project is located partly in the City of San Marcos (southern portion of the site) and partly in unincorporated San Diego County. The project is located north of Highway 78, west of Twin Oaks Valley Road, and south of Buena Creek Road. The property can be found on the U.S. Geological Survey 7.5-minute San Marcos quadrangle Sections 34 & 35, T.11S., R.3W.
Type of Project:	Residential housing project
Project Description:	The project consists of the subdivision of approximately 80 acres into 191 single family lots into 191 single family lots, including associated fuel modification zones, graded slopes, minor roads, 4.7 acres for the extension of Las Posas Road and 1 acre for a active use park. Approximately 123.1 acres will be left as open space.
Federal Agency/Permit:	U.S. Army Corps of Engineers Individual 404 permit
Other Required Regulatory Approvals:	California Department of Fish & Game Streambed Alteration Agreement
California Environmental Quality Act (CEQA) Compliance:	The City of San Marcos certified the Environmental Impact Report for the project on July 10, 2002.
Receiving Water:	Agua Hedionda Creek
Impacted Waters of the United States:	<p>The proposed project will result in permanent impacts to 0.74 acres of jurisdictional non-wetland Waters of the U.S.( 5,558 linear feet of ephemeral streambed, of which 0.05-acre are wetland Waters of the U.S.)</p> <p>The proposed project will also result in temporary impacts to 0.06</p>

acre of jurisdictional waters of the U.S.

Dredge Volume: N/A

Related Projects  
Implemented/to be  
Implemented by the  
Applicant(s): none

Compensatory Mitigation: Mitigation for permanent impacts to 0.74 acres of jurisdictional Waters of the U.S. (5,558 linear feet of ephemeral streambed and 0.05 acre of wetland Waters of the U.S.) will be achieved at a 3.3:1 ratio, by the restoration of 2.4 acres of riparian habitat, and the removal of 0.2 acre of eucalyptus trees at the headwaters of Agua Hedionda Creek. .05 acres of wetland will be created to ensure “no net loss” of wetlands from the proposed project.

Mitigation for temporary impacts to 0.06 acres of jurisdictional waters of the U.S. will be achieved at a 1:1 ratio, by the restoration of all temporary impacts to pre-existing topography and vegetative condition.

The proposed mitigation will replace a historic earthen dam and pond at the headwaters of Agua Hedionda Creek. The existing pond currently receives all the low flow that comes down the creek, and the earthen dam cuts off hydrologic input to downstream reaches of the stream. The proposed mitigation would restore and enhance the main-stem of the creek and provide flows unimpeded to downstream area of the creek.

Best Management Practices: During construction, this project will comply with the BMP requirements stipulated in the State Water Resources Control Board Order No. 99-08-DWQ, the NPDES General Permit for Storm Water Discharges Associated with Construction Activity.

Post-construction BMPs will be implemented to treat urban runoff generated from the project. Specific BMPs will include:

- 1 permanent vegetated water quality basin.
- 48 drain inlet filters treating the areas not being served by the permanent water quality basins.

Public Notice: On January 6, 2003, receipt of the initial project application was posted on the SDRWQCB web site to serve as appropriate notification to the public.

Fees: Total Due: \$4500.00

Total Paid (check No. 05301981, 05299468, 05300991): \$4,500.00

**ATTACHMENT 2  
DISTRIBUTION LIST**

Mr. Robert Smith  
U.S. Army Corps of Engineers  
Regulatory Branch  
16885 W. Bernardo Dr., Suite 300 A  
San Diego, CA 92127  
(858) 674-5388 (fax)

Ms. Janet Stuckrath  
U.S. Fish and Wildlife Service  
6010 Hidden Valley Road  
Carlsbad, CA 92009

Ms. Tamara Spear  
California Department of Fish & Game  
4949 Viewridge Avenue  
San Diego, CA 92123

Ms. Susan Erickson  
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One Venture, Suite 150  
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Ms. Stephanie Gasca  
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Ms. Lynne Baker, Esq.  
13626 Orchard Gate Road  
Poway, CA 92064

Ms. Sandra Farrell  
Friends of Hedionda Creek  
1900 Esplendido Ave  
Vista, CA 92084

State Water Resources Control Board  
Division of Water Quality